

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE: TERRORIST ATTACKS ON
SEPTEMBER 11, 2001

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**Civil Action No. 03 MDL 1570 (GBD)
ECF Case**

This document relates to:

Federal Insurance Co., et al. v. Al Qaida, et al., Case No. 03-cv-06978
Vigilant Insurance Co., et al. v. Kingdom of Saudi Arabia, et al., Case No. 03-cv-08591
Pacific Employers Insurance, et al. v. Kingdom of Saudi Arabia, et al., Case No. 04-cv-7216
Thomas Burnett, Sr., et al. v. Al Baraka Inv. & Dev. Corp., et al., Case No. 03-cv-09849
Euro Brokers Inc., et al. v. Al Baraka, et al., Case No. 04-cv-7279
Kathleen Ashton, et al. v. Al Qaeda Islamic Army, et al., Case No. 02-cv-06977
Estate of John P. O'Neill, Sr., et al. v. Kingdom of Saudi Arabia, Case No. 04-cv-1922
Continental Casualty Co., et al. v. Al Qaeda, et al., Case No. 04-cv-5970
Cantor Fitzgerald & Co., et al. v. Akida Bank Private, Ltd., et al., Case No. 04-cv-7065

DEFENDANTS' NOTICE OF MOTION TO STRIKE

Pursuant to Rule 7(b) of the Federal Rules of Civil Procedure and Local Civil Rule 7.1, the Kingdom of Saudi Arabia ("Saudi Arabia") and Saudi High Commission for Relief of Bosnia & Herzegovina ("SHC") (collectively, "Defendants") hereby request that this Court strike the Affirmation of Sean P. Carter and accompanying exhibits [ECF Nos. 2557-1; 2557-2; 2557-3; 2557-3; 2557-4; 2557-5; 2557-6; 2557-7; 2557-8; 2557-9; 2557-10; 2558] submitted by Plaintiffs with their reply in support of their motion for relief from the final judgments dismissing these cases against Saudi Arabia and the SHC. In the alternative, Saudi Arabia and the SHC respectfully request that Defendants' Memorandum of Law in Support of Motion To Strike be made part of the record and considered as a response to the new material that Plaintiffs have improperly sought to introduce on reply.

A Proposed Order is attached to this Motion.

Respectfully submitted,

/s/ Mark C. Hansen

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February 28, 2012

CERTIFICATE OF SERVICE

I hereby certify that, on this 28th day of February 2012, I caused copies of the Defendants' Notice of Motion To Strike to be served electronically pursuant to the Court's ECF system and by United States first-class mail on any parties not participating with the Court's ECF system as thereafter advised by the Court.

/s/ Michael K. Kellogg

Michael K. Kellogg